

CUSTOMER NO.
60533**REMARKS**

Applicants respectfully traverse the rejection of claims 1-38 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,771,282 ("Friedes") in view of U.S. Patent No. 6,965,764 ("Plush") at page 2 of the Office Action mailed March 6, 2006 ("Office Action"). The asserted combination is improper and should be withdrawn. Even if made, however, the asserted combination fails to disclose or suggest at least one element of each of claims 1-38.

Although Plush discloses the use of pre-paid allocated call-time bundles, Plush teaches the undesirability of sharing pre-paid allocated call-time bundles among multiple call types: for example, standard calls and mobile-to-mobile calls do not share a bundle. See Plush, col. 5, line 56 – col. 6, line 8. Plush therefore teaches away from pre-paid allocated time-call bundles shared by the aggregated subscriber services of Friedes, as proposed in the Office Action. See Office Action, p. 3. Because Plush teaches away from the asserted combination, the combination of Friedes with Plush is improper and should be withdrawn.

Even if made, however, the asserted combination fails to disclose or suggest at least one element of each of independent claims 1, 17, 33 and 34. Friedes discloses aggregating billing by entering a billing number in a segmentation directory, which cross-references each telephone number to a common account number. See Friedes, col. 4, lines 24-29. All billing messages containing charges associated with the common account number are aggregated by the IXC billing system in the same way that the billing system aggregates the charges associated with a single telephone number. See Friedes, col. 4, lines 49-53. Thus, Friedes discloses aggregating separate charges onto a common account number or billing number. See Friedes, col. 4, line 58-col. 5, line 14.

Friedes fails to disclose or suggest shared telecommunication units used in connection with distinct services, as recited in independent claim 1. Friedes fails to disclose or suggest account units available for use of distinct subscriber services, as recited in independent claim 17. Friedes fails to disclose or suggest shared minutes used in connection with a first subscriber service and a second subscriber service, as recited in independent claim 33. Friedes fails to disclose or suggest shared account units for use of first and second subscriber services, as recited

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in independent claim 34. Thus, Friedes fails to disclose or suggest at least one element of each of the independent claims of the application.

Plush does not cure the failure of Friedes. Plush discloses providing pre-paid usage for groups of subscribers. See Plush, Abstract. Airtime usage by group members placing "standard" calls is deducted from a pre-paid allocated call-time bundle. See Plush, col. 5, lines 36-50; col. 6, lines 4-11. However, airtime usage for "non-standard" calls is not deducted from a bundle, and instead is billed on a per-call basis, because of the varying pricing for non-standard calls. See Plush, col. 5, line 64 – col. 6, line 4. Examples of non-standard calls include mobile-to-mobile calls, premium rate calls, and international calls. See Plush, col. 5, lines 59-63. Therefore, Plush does not disclose or suggest using a pre-paid allocated call-time bundle for use with distinct services, and instead teaches the undesirability of using a pre-paid allocated bundle for calls of various types.

Thus, Plush does not cure the failure of Friedes to disclose or suggest shared telecommunication units used in connection with distinct services, as recited in independent claim 1. Plush does not cure the failure of Friedes to disclose or suggest account units available for use of distinct subscriber services, as recited in independent claim 17. Plush does not cure the failure of Friedes to disclose or suggest shared minutes used in connection with a first subscriber service and a second subscriber service, as recited in independent claim 33. Plush does not cure the failure of Friedes to disclose or suggest shared account units for use of a first and second subscriber services, as recited in claim 34.

Applicants respectfully traverse the rejection of claims 8 and 9 under 35 U.S.C. §103(a) over the asserted combination of Friedes in view of Plush and further in view of U.S. Patent No. 5,844,972 ("Jagadish"), at page 6 of the Office Action.

Plush teaches away from the asserted combination by teaching the undesirability of using pre-paid allocated call-time bundles for "nonstandard" calls, such as international calls, mobile-to-mobile calls, and premium rate calls. Jagadish does not overcome this teaching away by Plush. Therefore, the asserted combination is improper and should be withdrawn.

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Even if made, the asserted combination fails to disclose at least one element of independent claim 1, from which claims 8 and 9 depend. Jagadish discloses that calls made by the customer, using a calling card or prepaid card, are billed according to the customer's calling plan. See Jagadish, col. 1, lines 21-36. Jagadish fails to disclose or suggest shared telecommunication units used in connection with distinct services, as recited in claim 1. Thus, the asserted combination of Friedes, Plush and Jagadish fails to disclose or suggest at least one element of independent claim 1. Therefore, the asserted combination of Friedes, Plush and Jagadish fails to disclose at least one element of claims 8 and 9, at least by virtue of their dependency from allowable independent claim 1.

Claims 2-16, 18-32 and 35-38 depend from independent claims 1, 17 and 34, respectively. Thus, even if made, the asserted combinations fail to disclose or suggest at least one element of each of the claims 2-16, 18-32 and 35-38 at least by virtue of their dependency from claims 1, 17 and 34. Therefore, claims 1-38 are allowable over the cited art.

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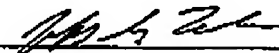
Applicants respectfully submit that the present application is in condition for allowance and respectfully requests reconsideration. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

Applicant's failure to challenge any cited reference as prior art should not be construed as an admission by Applicant that the unchallenged reference does constitute prior art.

Applicants do not believe that any additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date


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